

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JAVIER NAVARRO VILLEGAS, et al.,

Plaintiffs,

v.

FORD MOTOR COMPANY,

Defendant.

Case No. 1:22-cv-01628-ADA-SAB

ORDER DISCHARGING ORDER TO SHOW
CAUSE AND EXTENDING TIME TO FILE
DISPOSITIONAL DOCUMENTS

(ECF Nos. 28, 29, 30, 31, 32)

DEADLINE: NOVEMBER 10, 2023

On September 20, 2023, the parties filed a notice of settlement of this action. (ECF No. 28.) Upon such notification of . . . resolution of an action . . . the Court shall fix a date upon which the documents disposing of the action or motion must be filed, which date shall not be more than twenty-one (21) days from the date of said notification, absent good cause." L.R. 160(b). The Court's order issued September 21, 2023, expressly set the deadline to file dispositional documents for October 11, 2023. (Id.) The deadline to file dispositional documents expired, and on October 12, 2023, the Court issued an order to show cause why sanctions should not be imposed for the failure to file dispositional documents by the deadline to do so. (ECF No. 30.)

On October 18, 2023, Eric D. Sentlinger, attorney for Defendant Ford Motor Company, filed a declaration in response to the Court's order. (ECF No. 31.) Defendant's counsel indicates Defendant received the documents required to complete the surrender of the vehicle on

1 September 26, 2023. (ECF No. 31 at 3.) Defendant's counsel further states that, in practice, the
2 surrender of the vehicle will occur within 45 days of acceptance of the documents. (*Id.*)
3 Defendant's counsel apologizes for the delay in obtaining the dispositional documents and states
4 the surrender is anticipated to take place on or about November 10, 2023. (*Id.*)

5 On October 18, 2023, Maite Colon, attorney for Plaintiffs Javier Navarro Villegas and
6 Luis Navarro, filed a declaration in response to the Court's order, which generally mirrors
7 Defendant's counsel's declaration regarding the timeline required to surrender the vehicle. (ECF
8 No. 32.) Notably, Plaintiffs' counsel also represents that her office forwarded a fee demand to
9 Defendant for attorneys' fees, and Plaintiffs expect a response on or by October 23, 2023 as to
10 whether there is an agreement or whether a motion for attorneys' fees will be required. (ECF No.
11 32 at 2.) Plaintiffs' counsel apologizes for missing the deadline to file dispositional documents
12 and states it was an inadvertent error. (*Id.* at 2.) Plaintiffs' counsel requests that the deadline to
13 file dispositional documents be continued to November 10, 2023 to allow time for completion of
14 the settlement terms and for attorneys' fees to be resolved by either agreement or motion. (*Id.* at
15 3.) While the Court generally does not keep a case open for performance under a settlement
16 agreement, given the potential dispute of attorney's fees and the representations by the parties, the
17 Court finds good cause to discharge the order to show cause and grant the requested extension of
18 time.

19 Accordingly, IT IS HEREBY ORDERED that:

- 20 1. The order to show cause issued on October 12, 2023, (ECF No. 30), is
21 DISCHARGED; and
22 2. The parties shall file dispositional documents on or before **November 10, 2023**.

23 IT IS SO ORDERED.

25 Dated: October 19, 2023



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UNITED STATES MAGISTRATE JUDGE